

# **SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS**

## **Hurley School District Continuous Improvement Monitoring Process Report 2003-2004**

**Team Members:** Valerie Johnson, Education Specialist; Rita Pettigrew, Education Specialist; Linda Shirley, Education Specialist

**Dates of On Site Visit:** February 11, 2004

**Date of Report:** February 19, 2004

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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### **Principle 1 – General Supervision**

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

### **Steering Committee Self-Assessment Summary**

Data sources used:

Student Surveys

Parent Surveys

Teacher Surveys

Administration Surveys

Comprehensive Plans

Teacher Interviews  
Needs Assessments  
Personnel Training  
Student Plans  
Staff Meetings  
Newspapers  
Data provided by DOE

## **Meets Requirements**

District has identified systems for receiving documented referrals. District has surveyed groups involved in the child find activities and reviewed files. The Hurley school district has policies and procedures which address the issue.

There are no private schools in the district.

The district has not had any suspensions or expulsions, but has policy and procedures in place should the need arise.

The district comprehensive plan procedures meet the state/federal requirements, but at this time, the district does not have any students placed out of district.

The district/agency uses data-based decision-making procedures to review and analyze school district-level data to consistently improve the level of performance by children with disabilities in statewide assessments. The district follows the state policies and procedures regarding assessment data and its comprehensive plan procedure cited on page 98.

## **Needs Improvement**

The district feels they need improvement in procedures for identifying needed personnel development.

## **Validation Results**

### **Promising Practice**

Through interviews with the staff, the review team identified a promising practice of utilizing peer tutors within the Hurley School District. This program is available for students grades nine through twelve as a class for which they can receive credit. The students work in the library, in the elementary as tutors and also as class assistants. The school counselor describes the benefits of the program this way: "One of the positive things of the program is that it helps build self esteem among both the tutors and tutored. The elementary students often "fall in love" with their tutor and you can hear their cries through the hall when they see them."

### **Meets Requirements**

The review team validates all areas identified by the steering committee as meeting the requirements for general supervision.

Through interviews and data supplied by the steering committee, the review team found the following data to support necessary involvement of staff in personnel development decisions and participation.

1. Training was provided for paraprofessionals on August 21, 2003. Medicaid, Special Education Definitions, Types of Disabilities, Special Education Process including the IEP Document, and Enhancing the Educational Environment
2. District staff has completed in-service training needs assessments provided by Corn Belt Coop for the past 2 years. Results were tabulated and provided to district administrators in May of each year.

3. Based upon priority needs identified on the in-service training needs assessments, all district staff were scheduled to attend an in-service on the roles and responsibilities of the regular educator and classroom modification on October 24, 2003

### **Needs Improvement**

The review team was not able to validate the steering committee's decision to place personnel development in the area of needs improvement. See above for supporting data.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

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### **Meets Requirements**

The district comprehensive plan policies support the provision of FAPE to students who reside in the district, group home, foster home or institutions. Parent surveys indicate 12 of 14 parents are satisfied with the education program and services provided to their children.

ESY services were to be determined in one student file reviewed and consent for ESY services was acquired in one student file reviewed.

The district comprehensive plan has policies and procedures in place for suspension/expulsion, release of records and forwarding student records.

### **Validation Results**

#### **Promising Practice**

The review team found a promising practice within the Hurley School District not identified by the steering committee. The School District runs a day care center, a special education preschool, provides

before and after school care and opens the building to the public from 6:30 am – 10:00 pm every weekday. The day care is available to all parents and is staffed by the school district. There is a fee for attending. The special education preschool works with the children at the day care for special activities during the year to provide natural environments for learning for the students in the preschool. The children at the day care complete activities that are shared with the school students. The school district provides the breakfast, lunch and snacks for the day care and the preschool. The school has been transformed into a community learning center not only through the previous services described for students, but also by a community fitness center which is free and available to the public.

### **Meets Requirements**

The review team validates the steering committee's findings that the district meets the requirements in the area of Free Appropriate Public Education.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

No data sources were listed.

### **Meets Requirements**

The prior notice document used by the district contains all required content. In two of two initial evaluations, documentation of informed parental consent was available. Parental consent for re-evaluation was obtained in six of seven student files reviewed. All tests listed on the prior notice/consent were administered in eight of eight files reviewed. In zero of eight files reviewed, tests were given that were not listed on the prior notice/consent for evaluation. All children are assessed in all areas of suspected disabilities during the initial evaluation prior to enrolling them in the district's special education program and providing needed related services. 100% of the file reviews reflected the district follows this procedure. The completed evaluation report is given to the designee who contacts the parents to schedule a meeting within 30 days of receipt of the evaluation results as indicated by **100%** of the file reviews and parental survey. The school district follows the procedures described in its comprehensive plan on pages 17 G to address eligibility in addition to state policies and procedures, to ensure full compliancy.

### **Needs Improvement**

The district determined they needed improvement in the areas of evaluation and reevaluation based on the following data statements:

All tests are administered by qualified individuals per the requirements established by the test producers.

All areas of suspected disability were evaluated in seven of eight student files reviewed.

Transition evaluations were conducted for two of two students prior to their turning age sixteen.

Functional evaluation data was available in all areas of suspected disability in eight of eight student files reviewed.

## **Validation Results**

### **Meets Requirements**

The review team validates the following areas as meeting the requirements: prior notice content, parental consent for initial evaluations and parental consent for re-evaluations.

The review team does not agree with the remaining meets requirements statements. See sections for needing improvement and out of compliance.

### **Needs Improvement**

Through file reviews and interviews with the staff, the review team found difficulties in completing evaluations within the timelines allowed. In two out of eleven files the time lines for evaluation were not met.

Through file review, the review team found two out of eleven files in which tests were administered for which permission was not obtained.

### **Out of Compliance:**

#### **Applicable ARSD(s) 24:05:25:04 Evaluation Procedures**

School districts shall ensure, at a minimum, a child is assessed in all areas related to the suspected disability and those evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child. In six out of eleven files checked there was no evidence of functional assessment. Special education personnel have attempted to address the issue of functional assessment, however in six out of seven files there was no written analysis of functional evaluation. Teachers showed evidence of functional assessment in the present levels of performance, but they were not included in the written evaluation.

The review team found no transition evaluations completed for three out of three files reviewed.

## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

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### **Meets Requirements**

85% of the parent rights brochures checked in file reviews used by the district contains all required content. Eight of eight files reviewed showed that parental rights information is given to parents with every prior notice/consent sent and at every IEP team meeting.

The parental rights statement used was published by the Special Education Program in July of 1999 and is written in an understandable manner and language.

The comprehensive plan procedures address the appointment of surrogate parents. These procedures meet regulatory requirements.

Consent was obtained for evaluation in eight of eight files reviewed. Consent was acquired for ESY services to be provided in zero of zero student files reviewed.

The district comprehensive plan has procedures for parents to inspect and review records.

The district has not had a request for a due process hearing.

All parents in the school district have access rights to inspect, review and receive any record relating to educational matters regarding their child. The district policies and procedures pertaining to the FERPA notification is described in the Comprehensive Plan starting on page 55.

The district has had zero complaints filed with the special education program in the past three years. The district has had zero complaints filed with the special education program in the past three years.

The district has not had a request for a due process hearing within the past five years. Due process hearing procedures are specified in the district comprehensive plan.

### **Validation Results**

#### **Meets Requirements**

The review team validates the steering committee's findings in all areas of Procedural Safeguards. The School District Meets Requirements for this principle.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

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### **Meets Requirements**

The district provided written notice five days prior to the IEP meeting in eight of eight files reviewed. Zero parents waived the five day requirement.

Eight of eight prior notice used by the district contains all of the required information above.

100 % of the parents surveyed felt comfortable about asking questions and discussing concerns at their child IEP meeting.

100 % of the parents surveyed stated that tests have been explained in a way they can understand.

A regular educator was present at IEP meetings in eight of eight student files reviewed.

100% of teachers surveyed are made aware of the goals and objectives and needed modifications for students on Individual Education Programs.

100 % of teachers surveyed have access to the student files.

The present levels of performance in eight of eight files reviewed contained specific skills in the student's strengths, weakness and the student's involvement in the general curriculum.

Present levels of performance are linked to functional evaluation in eight of eight files reviewed.

Parent input into the IEP process was documented in eight of eight files reviewed.

Goals are linked to the present levels of performance in eight of eight files reviewed. 100 % of Individual Education Programs reviewed consistently contained measurable short term objectives that include the conditions, performance and criteria.

Four of five Individual Education Programs reviewed included "as needed" statements on the modification page.

### **Needs Improvement**

Two of two Individual Education Programs reviewed for students 16 year old or younger, documented transition goals, services and/or activities needed by the student. These services linked to the student's life planning outcomes, present levels of performance and transition assessments.

## **Validation Results**

### **Meets Requirements**

Through interviews and file reviews, the review team validated the steering committee's findings for meeting requirements in the following areas of the Individualized Education Program.

1. Prior notice content.
2. Appropriate team membership.
3. IEP time lines
4. Regular education and parental involvement in planning and implementing the IEP

### **Needs Improvement**

Through file reviews, the review team found the following areas of the Individualized Education Program to need improvement.

1. In three out of three files reviewed, best practices within an early childhood setting were addressed as modifications. Ex: "concrete/positive reinforcers, small group instruction, repeated review/drill." Modification must be directly related to the disability and be necessary for the student to function within the classroom. Teaching practices included in the classroom for all students are not modifications.

### **Out of Compliance**

**ARSD 24:05:27:01.03 Content of IEP**

Present levels of performance should address the following and must be linked to the annual goals and objectives: student's strengths, student weaknesses, areas/skills to be addressed, parent input, how the student's disability affects the student's involvement and progress in the general curriculum

1. The present levels of performance were not skill based in ten out of twelve of the files reviewed.  
Ex: "He has been doing extremely well in his classes.... His behavior has also shown improvements....Teachers and parents have also commented on his positive behavior..."  
"During testing areas of weakness that appeared included his receptive and expressive language skills." "He is doing very well in remediating the articulation and expressive language errors he exhibited at the time of testing. He had made tremendous progress in developing appropriate sound speech during therapy times. There are still times when his expressive speech in conversation is punctuated by some misarticulations or substitutions."
2. In three out of three early childhood Individual Education Programs, the Present Levels of Performance addressed placement of students. Placement should not be addressed until after goals and objectives have been written and the team is discussing Least Restrictive Environment.  
"Some areas that will be assisted on in the ECSE setting will be: 1/1 number association, opposites, letters of first name, and to categorize items. The ECSE setting will assist \*\*\*\* on delays, as he will have social modeling from peers."
3. There was no parent input documented in the present levels of performance in four out of twelve of the files reviewed.
4. There were no statements addressing the affect of the disability in general education in five out of eleven files reviewed.
5. In three out of three files reviewed for students over the age of 14, transition was not addressed in the present levels of performance.
6. Goals and objective of educators are skill based and measurable, but do not link to the present levels of performance. All goals addressed should have an area of strengths and needs in the present levels of performance. Example: Student with reading goals did not have present levels of performance addressing the reading area...

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

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### **Meets Requirements**

The districts comprehensive plan provides procedures for determining placement options using the continuum of alternative placements.

16 of 17 educators surveyed indicated they modify and adapt curriculum to meet the needs of students. Eight of eight Individual Education Programs reviewed considered potential harmful effects when determining placement.

In the past three years, students have received services in the following setting on the continuum: regular classroom with modification, (37) resource room, (26) early childhood setting (4) and home (2).

### **Validation Results**

#### **Meets Requirements**

Through file reviews and interviews the review team validated the steering committees findings in the area of least restrictive environment.

#### **Needs Improvement**

In four out of five speech files reviewed the justification statement for least restrictive environment did not address why activities could not be carried out in the regular classroom and was not addresses in an accept/reject format.. Ex: "In order for \*\*\*\* to receive help in remediating articulation errors and increasing his expressive language skills, it is important for him to receive 1:1 help in the speech room. If he would not receive this help, his spoken speech would continue to be difficult to interpret and his expressive language skills would not increase to an appropriate level."